

KEVIN G. HORBATIUK (KGH-4977)  
RUSSO, KEANE & TONER, LLP  
Attorneys for Defendant  
**CUNNINGHAM DUCT WORK s/h/i/a**  
**CUNNINGHAM DUCT CLEANING CO., INC.**  
26 Broadway - 28th Floor  
New York, New York 10004  
(212) 482-0001

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
**IN RE COMBINED WORLD TRADE CENTER  
AND LOWER MANHATTAN DISASTER SITE  
LITIGATION**  
-----X

**21 MC 102 (AKH)**

**MIECZYSLAW ROMANIUK,**

**DOCKET NO:  
07 CV 05316**

**Plaintiff,**

**-against-**

**100 CHURCH, LLC, 120 BROADWAY  
CONDOMINIUM (CONDO #871), 120  
BROADWAY HOLDING, LLC, 120  
BROADWAY PROPERTIES, LLC, 120  
BROADWAY, LLC, 120 LIBERTY STREET  
LLC, 4101 AUSTIN BLVD., CORPORATION  
715 REALTY CORP., 90 CHURCH STREET  
LIMITED PARTNERSHIP, ALAN KASMAN  
DBA KASCO, AMBIENT GROUP, INC.,  
AMG REALTY PARTNERS, LP., ANN TAYLOR  
STORES CORPORATION, BANKERS TRUST  
COMPANY, BANKERS TRUST NEW YORK  
CORPORATION, BATTERY PARK CITY  
AUTHORITY, BELFOR USA GROUP, INC.,  
BLACKMON-MOORING-STEAMATIC  
CATASTROPHE, INC. D/B/A BMS CAT, BOARD  
OF MANAGERS OF THE 120 BROADWAY  
CONDOMINIUM (CONDO #871), BOARD OF  
MANAGERS OF THE HUSON VIEW EAST  
CONDOMINIUM, BOSTON PROPERTIES, INC.,  
BROOKFIELD FINANCIAL PROPERTIES, INC.,  
BROOKFIELD FINANCIAL PROPERTIES, LP,  
BROOKFIELD PARTNERS, LP, BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD**

**NOTICE OF  
ADOPTION OF  
ANSWER TO  
MASTER COMPLAINT**

PROPERTIES HOLDINGS INC., BT PRIVATE  
CLIENTS CORP., CITIBANK, N.A,  
CUNNINGHAM DUCT CLEANING CO., INC.,  
DEUTSCHE BANK TRUST COMPANY,  
DEUTSCHE BANK TRUST COMPANY  
AMERICAS, DEUTSCHE BANK TRUST  
CORPORATION, ENVIROTECH CLEAN AIR, INC.,  
GPS ENVIRONMENTAL CONSULTANTS, INC., HILLMAN  
ENVIRONMENTAL GROUP, LLC., INDOOR  
AIR PROFESSIONALS, INC., INDOOR  
ENVIRONMENTAL TECHNOLOGY, INC.,  
JONES LANG LASALLE AMERICAS, INC.,  
JONES LANG LASALLE SERVICES, CO.,  
KASCO RESTORATION SERVICES CO., LAW  
ENGINEERING P.C., MERRILL LYNCH  
& CO, INC., MSDW 140 BROADWAY PROPERTY  
LLC., NEW YORK UNIVERSITY, NOMURA HOLDING  
AMERICA, INC., NOMURA SECURITIES  
INTERNATIONAL, INC., ONE WAL STREET  
HOLDINGS, LLC., R Y MANAGEMENT CO., INC.,  
RECTOR OF TRINITY CHURCH, ROYAL  
AND SUNALLIANCE INSURANCE GROUP, RY  
MANAGEMENT, SILVERSTEIN PROPERTIES, INC.,  
STRUCTURE TONE (UK), INC., STRUCTURE TONE GLOBAL  
SERVICES, INC., THAMES REALTY CO., THE BANK OF NEW  
YORK COMPANY, INC., THE BANK OF NEW YORK  
TRUST COMPANY, NA., TISHMAN INTERIORS  
CORPORATION, TOSCORP INC., TRC ENGINEERS, INC.,  
TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES, INC.,  
US GOVERNMENT WESTON SOLUTIONS, INC., WFP TOWER  
B CO. G.P. CORP., WFP TOWER B HOLDING CO., LP,  
WFP TOWER B. CO., L.P., WFP TOWER D CO. G.P. CORP.,  
WFP TOWER D HOLDING CO. I L.P., WFP TOWER D  
HOLDING CO. I L.P., WFP TOWER HOLDING CO., II L.P.,  
WFP TOWER D HOLDING I G.P., CORP., WFP TOWER  
D. CO., L.P., AND ZAR REALTY MANAGEMENT CORP., ET AL

Defendants.

.....X

PLEASE TAKE NOTICE that defendant CUNNINGHAM DUCT WORK s/h/i/a  
CUNNINGHAM DUCT CLEANING CO., INC. ("CUNNINGHAM"), by its attorneys, RUSSO,  
KEANE & TONER, LLP, as for its Response to the allegations set forth in the Complaint by

Adoption (Check-Off-Complaint) Related to the Master Complaint filed in the above referenced action, hereby adopt their Answer to Master Complaint dated, August 1, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, the defendant, CUNNINGHAM demands judgment dismissing the above captioned caption action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
January 9, 2008

Kevin G. Horbatiuk  
Kevin G. Horbatiuk (KGH4977)  
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RKT File No. 824.078

TO: CHRISTOPHER R. LaPOLA, ESQ.,  
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New York, New York 10006  
(212) 267-3700

CERTIFICATION OF SERVICE

I hereby certify that a copy of the above and foregoing has been served upon the following listed person by placing a copy of the same in the United States mail, postage prepared and properly addressed, this the 9th day of January, 2008.

CHRISTOPHER R. LaPOLA, ESQ.,  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
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KEVIN G. HORBATIUK